

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATHANIEL WASHINGTON,

Plaintiff,

v.

BRAXTON TUNE, et al.

Defendants.

Case No. 1:24-cv-00036-KES-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION WITHOUT PREJUDICE

(Docs. 3, 6)

On January 8, 2024, plaintiff Nathaniel Washington initiated this action by filing a complaint. Doc. 1. However, plaintiff did not pay the Court's filing fee or file a motion to proceed in forma pauperis. Therefore, on January 17, 2024, the Court issued an order requiring plaintiff to either complete the Court's standard in forma pauperis form or pay the filing fee for this action within forty-five days. Doc. 3. Plaintiff was notified that "[f]ailure to comply with this order will result in dismissal of this action." *Id.* at 2.

On March 8, 2024, the assigned magistrate judge issued findings and recommendations which recommended that the action be dismissed without prejudice for failure to pay the filing fee, submit the IFP forms, or otherwise respond to the Court's order. Doc. 6. The Court served the findings and recommendations on plaintiff by mail on March 8, 2024, and notified him that any objections were due within 14 days. *Id.* at 3. Plaintiff did not file objections. Instead, on April 15, 2024, he filed a notice which contained a variety of unrelated statements and did not acknowledge either the

1 findings and recommendations or his failure to respond to the Court's prior orders. Doc. 8.

2 Pursuant to 28 U.S.C. § 636(b)(1), this Court conducted a de novo review of the case.

3 Having carefully reviewed the matter, the Court finds the findings and recommendations are
4 supported by the record and proper analysis.

5 Accordingly:

- 6 1. The findings and recommendations dated March 8, 2024, Doc. 6, are ADOPTED IN
7 FULL;
- 8 2. Plaintiff's complaint is DISMISSED without prejudice; and
- 9 3. The Clerk of Court is directed to close this action.

10
11
12 IT IS SO ORDERED.

13 Dated: May 14, 2025



UNITED STATES DISTRICT JUDGE